

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
WACO DIVISION**

VIDEOSHARE, LLC,

Plaintiff,

v.

META PLATFORMS, INC.

Defendant.

CIVIL ACTION NO. 6:21-CV-00254-ADA

JURY TRIAL DEMANDED

DECLARATION OF HALIMA SHUKRI NDAI

I, Halima Shukri Ndai, declare as follows:

1. I am an attorney at Shore Chan LLP and counsel of record for VideoShare, LLC (“VideoShare”). All the statements set forth herein are true and correct and are based upon my personal knowledge or a reasonable investigation sufficient to reach the conclusions presented.

2. On March 14-18, 2022, VideoShare’s expert reviewed Defendant’s (“Meta”) entire video related source code related to Facebook Live, Facebook Watch, Instagram, and Defendant’s standard video upload and streaming offerings. Meta made available for inspection more than 2.6 million files of source code but refused to produce the directory ahead of the review session because of the sheer volume.

3. Attached hereto as Exhibit 1 is a true and correct copy of excerpts from the February 18, 2022, Discovery Hearing Transcript in this case.

4. Attached hereto as Exhibit 2 is a true and correct copy of VideoShare’s Notice of Deposition of Paul Dapolito IV, dated January 11, 2022.

5. Attached hereto as Exhibit 3 is a true and correct copy of VideoShare’s Amended, Notice of Deposition of Paul Dapolito IV, dated January 21, 2022.

6. Attached hereto as Exhibit 4 is a true and correct copy of excerpts from the Deposition Transcript of Paul Dapolito IV, dated February 15, 2022. This exhibit has been filed under seal.

7. Attached hereto as Exhibit 5 is a true and correct copy of emails exchanged between counsel for the parties regarding source code, dated March 9-11, and 15, 2022.

8. Attached hereto as Exhibit 6 is a true and correct copy of excerpts of *WSOU Investments, LLC v. Dell Technologies, Inc., et al*, 6-20-cv-473-ADA, Dkt. 69 (Discovery Hr. Tr.) (W.D. Tex. Dec. 10, 2020).

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Executed on April 8, 2022, in Dallas, Texas.

/s/ Halima Shukri Ndai
Halima Shukri Ndai